

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CORNELIUS BROWN,

Defendant.

INDICTMENT

07 Cr.

07 CRIM 920

COUNT ONE

The Grand Jury charges:

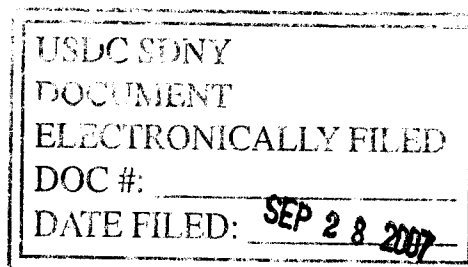
1. On or about August 30, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT TWO

The Grand Jury further charges:

2. On or about August 4, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and



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JUDGE LEVY

more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

3. On or about July 18, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT FOUR

The Grand Jury further charges:

4. On or about June 20, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT FIVE

The Grand Jury further charges:

5. On or about June 7, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A); Title 18, United States Code, Section 2.)

COUNT SIX

The Grand Jury further charges:

6. On or about May 31, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT SEVEN

The Grand Jury further charges:

7. On or about May 16, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with

intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT EIGHT

The Grand Jury further charges:

8. On or about July 18, 2007, in the Southern District of New York, CORNELIUS BROWN, the defendant, while under indictment for a crime punishable by imprisonment for a term exceeding one year, to wit, an indictment filed on or about April 24, 2007, in Bronx County Supreme Court, charging BROWN with criminal possession of a weapon in the second degree, in violation of N.Y. Penal Law 265.03, unlawfully, willfully, and knowingly shipped and transported in interstate and foreign commerce a firearm and ammunition, and received a firearm which had been shipped and transported in interstate and foreign commerce, to wit, an Intratec 9 millimeter semi-automatic handgun, which had been shipped and transported in interstate commerce.

(Title 18, United States Code, Section 922(n).)

FORFEITURE ALLEGATION

9. As a result of committing the controlled substance and firearms offenses alleged in Counts One through Seven of this Indictment, CORNELIUS BROWN, the defendant, shall forfeit to the

United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One through Seven of this Indictment, including but not limited to the following: at least \$13,695 in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the said offense.

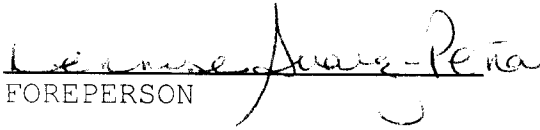
Substitute Asset Provision

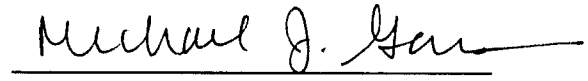
10. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value;
or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Defendant.

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(Title 21, United States Code,
Section 846; Title 18, United
States Code, Section 922(n))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Dennise Suarez-Peña
Foreperson.

Dennise Suarez-Peña

Filed indictment. Case assigned to Judge Keenan.
A/W issued for def'd Brown.

SPM
9/28/07

- Francis, J.